REMARKS

Applicants' attorney would like to thank the Examiner for the telephone conversation had this date in which the above changes were discussed.

Claims 2 and 8 have been further amended to correct an antecedence problem, i.e., the term "said binary signal" has been replaced by "said runlength-limited code sequence". In addition, claim 9 has been amended to change the phrase "A record carrier for storing...." to "A record carrier having stored therein....".

Applicants believe that the invention as claimed in claims 9 and 10 is statutory in that it comprises a "data structure", i.e., functionally descriptive material, recorded on a "computer-readable medium". In particular, the secondary information, as claimed, occupies a specific physical position in the runlength-limited code sequence. As such, in accordance with the *Examination Guidelines for Computer-Related Inventions, Final Version*, there are "structural and functional interrelationships between the data structure and the medium which permit the data structure's functionality to be realized" (see further *In re Lowry*, 32 USPQ2d 1031, 1034 (Fed.Cir. 1994)).

Applicants further submit that claim 7 relates to an apparatus as shown in Fig. 2, wherein the "detecting means" is polarity detection 19, and the "setting means" is the combination of SO-sync merging bit pattern 18 and the modulator 10, as

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described in the Substitute Specification on page 12, line 6 to page 13, line 2 (paragraph [0028]).

Applicant believes that this application, containing claims 1-10, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by _____
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